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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3137 OF 2005

M/s.Remik Marketing Services)..Plaintiffs

Versus

Ankit Petro Products Pvt. Ltd. and ors.)..Defendants

Ms.K.P. Bharucha i/b.Ms.Sheetal Chhabria for the Plaintiffs.

None present for the Defendants.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 20TH MARCH 2006

P.C.:

. This Suit has been filed to recover an amount for goods sold and delivered. The Defendants have failed to pay the amount as detailed in the Plaint. The Plaintiffs have produced on record the invoices indicating that the goods had been received by the Defendants. The demand letter on the Defendants is also produced on record. The particulars of the claim annexed to the Plaint indicates that an amount of Rs.5,28,869.67 is yet to be recovered from the Defendants. In view of the fact that there is no reply filed by the Defendants nor any reply submitted by the Defendants to the demand notice, decree must follow.

2. The documents produced on record support the

claim made by the Plaintiffs. The Writ of Summons was served on the Defendants on 13th December 2005. An affidavit to that effect is filed by the Plaintiffs. There are no militating circumstances against the Plaintiffs.

3. In view of this, the Suit is decreed as prayed for. However, the interest payable after filing of the Suit is restricted to 9% per annum.

4. Refund as per Rules.